IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 15TH NOVEMBER 2006 / 24TH KARTHIKA 1928

WP(C).No. 29599 of 2006(W)

PETITIONER:

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1. T.V. RAJASREE,
   JUNIOR PUBLIC HEALTH NURSE GR.II,
   P.H.C. VENGAD, P.O.PATHIRIYAD,
   KANNUR DISTRICT.

2. LEENA. K.P.,
   JUNIOR PUBLIC HEALTH NURS GR.II,
   P.H.C. CHELORA, P.O.VAROM,
   KANNUR DISTRICT.

3. PUSHPAJA A.,
   JUNIOR PUBLIC HEALTH NURSE GR.II,
   P.H.C. PERALASSRRY,
   P.O.PDUVACHERY, KANNUR DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   SECRETARUY TO GOVERNMENT, DEPARTMENT OF
   HEALTH & FAMILY WELFARE, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HEALTH SERVICE,
   THIRUVANANTHAPURAM.

3. THE DISTRICT MEDICAL OFFICER,
   HEALTH, KANNUR.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 29599 OF 2006

Dated this the 15th November, 2006.

JUDGMENT

The petitioners belong to the category of Junior Public Health Nurses Gr.II in the Health Services Department. Before the petitioners commenced service on a regular basis, they had rendered provisional service in the same category. The regular appointments commenced after 1.10.1994 and therefore, the provisional service has not been reckoned for increments. The petitioners have approached the first respondent by filing Exts.P4, P5 and P6 representations requesting that they may be given the benefit of stepping up of pay having regard to the fact that one Smt.Geetha Kumari who is junior to them and who got increments counting the provisional service, notwithstanding her commencement of regular service after 1.10.1994, is drawing higher emoluments. According to the petitioners the benefits as requested vide Exts.P4 to P6 will not incur much financial liability to the State when compared to the benefit of increments counted from the initial dates of their provisional appointment with arrears of pay.

2. The first respondent can consider the request of the petitioners and take appropriate decision. It would be

just and fair that the petitioners are informed of the fate of their representations, within a reasonable time. Hence, without expressing any opinion on the merits of the contentions of the petitioners, there shall be a direction that Exts.P4, P5 and p6 shall be disposed of within three months on the petitioners producing a copy of the judgment along with a copy of the writ petition. Writ petition is disposed of accordingly.

K.K.DENESAN
Judge

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